

Memorandum

To: Members of the Galway Lake Campers Association

Subject: Town of Galway Regulatory Requirements Involving Onsite Wastewater Treatment Systems in the Lake District

Date: July 1, 2009

The purpose of this memo is to advise association members of recent regulatory changes dealing with Onsite Wastewater Treatment Systems (OWTS) in the Lake District.

During the recent revision of the Town's Zoning Ordinance, provisions dealing with Onsite Wastewater Systems (OWTS) were changed to comply with regulatory guidance published by the New York State Department of Health. These changes will improve the general effectiveness of our Onsite Waste Treatment Systems, which in turn, will help to protect the health of our residents, the safety of our drinking water and the recreational quality of our lake and streams. Current Lake District residents will not be affected by the revised regulations if their OWTS is operating properly, the property is not being sold and modifications to the property do not require a building permit.

The following is a summary of the OWTS provisions in the new Ordinance:

- I. An OWTS will be Inspected and/or Evaluated under the following conditions:
 1. There are modifications to the supported building that could increase the demand on the OWTS, such as adding bedrooms.
 2. The dwelling floor space is being increased by 30%
 3. The dwelling is being replaced or converted to a year-round residence.
 4. The OWTS is being modified (except when modification is limited to like components in the same location).
 5. There are indications that the OWTS has failed and poses a potential threat to the health, safety or general welfare of property owners or Galway Lake.
 6. The property on which the OWTS is located is being sold.
- II. A Professional Engineer licensed by the State of New York (LPE) must perform OWTS inspections and evaluations.
- III. All requirements for OWTS Inspections and Evaluations must be coordinated with the Town of Galway Zoning Administrator.
- IV. The Licensed Professional Engineer will provide a copy of his report to the property owner and the Zoning Administrator following the completion of an Inspection or Evaluation. The Zoning Administrator will evaluate the findings in the Inspector's report

and provide the property owner with guidance on any actions that may be required.

V. OWTS's, which fail an Inspection, must be upgraded to comply with applicable State standards. A NY State Licensed Professional Engineer must design and oversee the installation of all upgrades involving an OWTS replacement or modification that requires moving the drain field or extending the drain field to a location not previously approved.

VI. When the size constraints of the lot, proximity to the lake or soil characteristics preclude compliance with NY State standards, an alternative OWTS may be used, provided that the alternative OWTS is designed by a NY State Licensed Professional Engineer who will certify that the alternative system provides a degree of protection equivalent to the OWTS standards for NY State and will not adversely impact the health, safety or general welfare of property owners or Galway Lake.

Association members are encouraged to retain a copy of these requirements for future reference.